

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

August 10, 2004

Honorable Harvey Bartle III
U.S. District Judge
16614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1714

Re: MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products
Liability Litigation


(See Attached Schedule CTO-126)

Dear Judge Bartle:

For your information, I am enclosing a copy of a conditional transfer order filed today by the Judicial Panel on Multidistrict Litigation in this matter.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

cc: (See Attached List of Judges)

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 10 2004

DOCKET NO. 1203

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
**IN RE DIET DRUGS (PHENTERMINE/FENFLURAMINE/
DEXFENFLURAMINE) PRODUCTS LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-126)

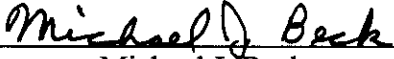
On December 10, 1997, the Panel transferred nine civil actions to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 6,615 additional actions have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Harvey Bartle III.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Bartle.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of December 10, 1997, (1997 WL 774-929), as amended on January 6, 1998, cited at 990 F.Supp. 834 (J.P.M.L. 1998), and, with the consent of that court, assigned to the Honorable Harvey Bartle III.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-126 - TAG ALONG ACTIONS
DOCKET NO. 1203
IN RE DIET DRUGS (PHENTERMINE/FENFLURAMINE/DEXFENFLURAMINE)
PRODUCTS LIABILITY LITIGATION

DISTRICT DIV. C.A.#**ARKANSAS EASTERN**

ARE 4 04-617

Mary Ghent v. Wyeth, Inc., et al.

COLORADO

CO 1 04-1376

Rene DeMattei, et al. v. Wyeth, et al.

FLORIDA MIDDLE

FLM 3 04-384

Patricia White v. Wyeth, et al.

ILLINOIS SOUTHERN

ILS 3 04-410

Nanci White, et al. v. Wyeth, et al.

KENTUCKY EASTERN

KYE 0 04-103

Diana Adkins, et al. v. W. Rex Duff, et al.

LOUISIANA EASTERN

LAE 2 04-1996

Katherine Lewis v. Wyeth, et al.

LOUISIANA MIDDLE

LAM 3 04-480

Anne Savell, et al. v. Wyeth, et al.

MASSACHUSETTS

MA 1 04-11041

Carol Beane, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11042

Chester Kajkowski, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11043

Jane Antuono, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11051

Sandra Carothers, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11052

Debbie Daily, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11053

Mary Alkire, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11054

Kristin Ellis, et al. v. Indevus Pharmaceuticals, Inc., et al.

MISSISSIPPI SOUTHERN

MSS 3 04-531

Myra Sumlin v. American Home Products Corp., et al.

NORTH CAROLINA WESTERN

NCW 1 04-99

Sharon Reed v. Wyeth, et al.

NCW 1 04-100

Betty Pittman v. Wyeth, et al.

NCW 1 04-101

Julie Teaster v. Wyeth, et al.

NCW 5 04-73

Sandra Rich v. Wyeth, et al.

NEW YORK SOUTHERN

NYS 1 04-3810

Roberta Debono, et al. v. American Home Products Corp., et al.

NYS 1 04-3813

Albert Alfiero, et al. v. American Home Products Corp. et al.

NYS 1 04-3820

Janet Aufiero v. American Home Products Corp., et al.

NYS 1 04-3828

Verna G. Aiken, et al. v. American Home Products Corp., et al.

SCHEDULE OF ACTIONS (CTO-126) - DOCKET NO. 1203

PAGE 3 OF 3

DISTRICT DIV. C.A.#

TXS	4	04-1771	Pamela J. Gartner v. Wyeth, et al.
TXS	4	04-1772	Deena Petrice Husky-Charity v. Wyeth, et al.
TXS	4	04-1773	Cynthia Anaya v. Wyeth, et al.
TXS	4	04-1774	Debra Wieden v. Wyeth, et al.
TXS	4	04-1775	Christine Morrow v. Wyeth, et al.
TXS	4	04-1776	Diana N. Hackler v. Wyeth, et al.
TXS	4	04-1777	Marty J. Nelson v. Wyeth, et al.

TEXAS WESTERN

TXW	5	04-479	Barbara Scott, et al. v. Wyeth, et al.
TXW	6	04-102	Larry Garza, et al. v. Wyeth

WASHINGTON WESTERN

WAW	3	04-5247	Janet Dowling v. Wyeth, et al.
-----	---	---------	--------------------------------

PAGE 1 OF 3

**INVOLVED JUDGES FOR SCHEDULE CTO-126
DOCKET NO. 1203
IN RE DIET DRUGS (PHENTERMINE/FENFLURAMINE/DEXFENFLURAMINE)
PRODUCTS LIABILITY LITIGATION**

Hon. Nancy F. Atlas
U.S. District Judge
9015 Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

Hon. Jerry Buchmeyer
Senior U.S. District Judge
15D28A Earle Cabell Federal Bldg.
& U.S. Courthouse
1100 Commerce St.
Dallas, TX 75242-1003

Hon. Franklin D. Burgess
U.S. District Judge
3124 United States Courthouse
1717 Pacific Avenue
Tacoma, WA 98402

Hon. Denny Chin
U.S. District Judge
1020 Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Hon. Ron Clark
U.S. District Judge
106 Federal Building
211 West Ferguson Street
Tyler, TX 75702

Hon. Marcia A. Crone
U.S. District Judge
U.S. District Court
P.O. Box 1470
Beaumont, TX 77706

Hon. Wiley Y. Daniel
U.S. District Judge
C-218 Bryon G. Rogers U.S. Courthouse
1929 Stout Street
Denver, CO 80294

Hon. Kurt D. Engelhardt
U.S. District Judge
C-317 U.S. Courthouse
500 Camp Street
New Orleans, LA 70130

Hon. Sidney A. Fitzwater
U.S. District Judge
15A3A Earle Cabell Federal Building
& U.S. Courthouse
1100 Commerce Street
Dallas, TX 75242-1003

Hon. Vanessa D. Gilmore
U.S. District Judge
9513 Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

Hon. David Hittner
U.S. District Judge
8509 Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

Hon. Sven E. Holmes
Chief Judge, U.S. District Court
4-508 Page Belcher Federal Bldg. &
U.S. Courthouse
333 West 4th Street
Tulsa, OK 74103

Hon. Kenneth M. Hoyt
U.S. District Judge
11144 Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

Hon. Lynn N. Hughes
U.S. District Judge
11122 Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

INVOLVED JUDGES FOR SCHEDULE CTO-126 - MDL-1203

PAGE 3 OF 3

Hon. Ralph E. Tyson
U.S. District Judge
301 Russell B. Long Fed. Bldg.
777 Florida Street
Baton Rouge, LA 70801-1712

Hon. Richard L. Voorhees
U.S. District Judge
250 Charles Jonas Federal Building
401 West Trade Street
Charlotte, NC 28202

Hon. T. John Ward
U.S. District Judge
United States District Court
100 E. Houston Street
Marshall, TX 75670

Hon. Henry R. Wilhoit, Jr.
Senior U.S. District Judge
320 Federal Building
1405 Greenup Avenue
Ashland, KY 41101

Hon. William R. Wilson, Jr.
U.S. District Judge
423 Richard Sheppard Arnold U.S. Courthouse
600 West Capitol Avenue
Little Rock, AR 72201-3325